

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

TC ARROWPOINT, L.P.,

Plaintiff,

Vs

CHOATE CONSTRUCTION COMPANY,

Defendant.

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Case No. 3:05CV267-K

CONSENT ORDER

THIS MATTER, having come on for hearing before the undersigned for entry of this Consent Order establishing the time for Defendant to file and serve a Response to the Application for Confirmation of Arbitration Award as a Judgment of the Court under 9 U.S.C. § 9 (the “Application”) filed by Plaintiff and/or a Motion to Vacate, Modify or Correct the Arbitration Award issued by the American Arbitration Association in the arbitration captioned *Trammell Crow Arrowpoint, L.P. and Choate Construction Company*, AAA Case No. 16 Y 110 00302 03.

The Court, having considered the consent of the parties, as evidenced by the signature of their attorneys below, finds and concludes that good cause exists for the entry of this Order.

NOW THEREFORE IT IS ADJUDGED, DECREED and ORDERED as follows:

1. By the signature of its counsel below, Choate confirms that it has accepted service of the Application and hereby waives and relinquishes all defenses based upon service or form of process.

2. To the extent that Choate intends to file a Response to the Application and/or a Motion to Vacate, Modify or Correct the Arbitration Award, it shall file and serve said Response and/or Motion on or before July 20, 2005.

This the 7th day of July, 2005.

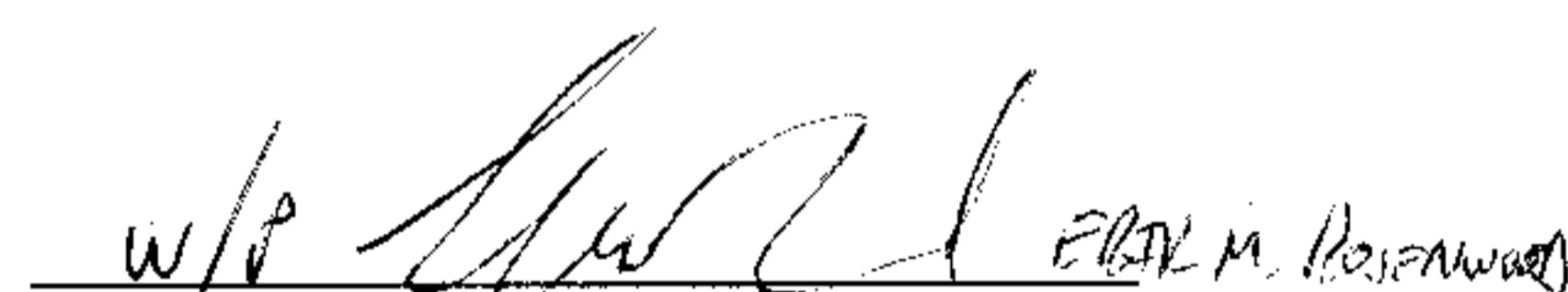
~~David C. Keesler~~

The Honorable David C. Keesler
United States Magistrate Judge

WE CONSENT:



Christopher A. Hicks
Attorney for TC Arrowpoint, L.P.
North Carolina State Bar No. 26882


David B. Hamilton
Attorney for Choate Construction Company
North Carolina State Bar No. 7771